

Application No. 09/904,282

Filed: July 12, 2001

Group Art Unit: 1733

REMARKS

Claims 1, 2, 5-8, and 11-21 have been rejected under 35 U.S.C. § 103(a) over "admitted prior art" from Applicants' specification (pages 1-3 and 11) in view of Reeves et al. (US Pat. No. 4,463,043).

The "admitted prior art" on pages 1-3 of Applicants' specification is a description of pultrusion generally. However, as recognized by the Examiner, in this prior art pultrusion process, structural elements are not introduced between opposed faces of adjacent core elements.

Regarding independent claim 1, the Examiner cites Reeves et al. for teaching the inserting of structural elements between core elements to provide a building panel with increased structural rigidity and a firebreak. The Examiner also notes that Reeves teaches that the structural elements can comprise layers of glass cloth, and the structural elements are bonded to the foam cores and face skins of the panel using the resin that bonds the face skins to the foam cores.

Reeves, however, relates to a vacuum-assisted molding process in which all the components of the building panel are assembled in a mold and cured under vacuum. (Col. 8, lines 7-45) Thus, Reeves's invention relates to a batch process, which is a fundamentally

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different type of process than the continuous process of pultrusion. Reeves provides no disclosure or suggestion that building panels incorporating discrete structural elements can be made by a pultrusion process. Reeves further states that the disclosed batch molding process "has proved to be an efficient method for making the panels without the need for specialized equipment." (Col. 8, lines 9-11)

Merely because structural elements in building panels are known from Reeves does not render it obvious to incorporate such structural elements in any and every process that may be used to manufacture building panels. A continuous process such as pultrusion is considered advantageous in that all the materials may be fed continuously into the stream so that they do not have to be individually arranged or laid up, as in a batch process. This is advantageous where the resulting product has a constant cross-section. The intermittent introduction of structural elements into a continuous process is, therefore, a break with this principle.

Furthermore, claim 1 as amended recites providing at least one structural element comprising a rigidizable element and further recites that, in the wetting out step, resin is impregnated in the upper and lower face skins and the structural

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element. Thus, the structural element is not merely fed into the continuous stream of the process, but must be impregnated with resin as well. As noted in Applicants' specification, special process steps typically must be undertaken to ensure deeper resin impregnation into the structural elements. For example, a less viscous resin may be used, the process may be run at a slower speed and/or at a higher temperature, and/or vacuum or pressure resin assist may be used to ensure that the resin fully impregnates the inserted elements. (Applicants' specification, page 9, lines 2-8)

Thus, merely because building panels incorporating a structural element are known does not render obvious the presently claimed process. Claim 1 and the claims dependent therefrom are accordingly believed to be patentable over the "admitted prior art" pultrusion process in view of Reeves.

Regarding claim 19, the Examiner refers to Applicants' specification at page 11, lines 15-17, and also to Day, US Pat. No. 5,834,082, at col. 8, lines 7-18. The lines on page 11 state that dry-stitched core panels are available, and cite to three patents, including Day. However, claim 19 as amended recites that the reinforcing stitching is continuously sewn through the cores as a part of the claimed method upstream of pulling the sandwich

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arrangement through the pultrusion process. See Applicants' specification at page 11, lines 9-12. The prior art noted by the Examiner discloses individual pre-stitched cores. This prior art does not disclose or suggest making continuous stitching part of the process. Such continuous stitching is advantageous in that there is no break in the reinforcing stitching throughout the structural element. In contrast, pre-stitched, prefabricated cores are available only in certain sizes, which are typically not identical to the size of the desired structural element. Thus, a plurality of such pre-stitched cores must be assembled, leaving breaks in the stitching at the boundary between adjacent cores. Accordingly, claim 19 and dependent claim 20 are believed to be patentable over the prior art of record as well.

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WEINGARTEN, SCHURGIN,
CAGNABIN & LEBOVICI LLP
TEL. (617) 542-2290
FAX. (617) 451-0313

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In view of the above amendments and remarks, all claims are believed to be in condition for allowance, and reconsideration and indication thereof are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

JEROME P. FANUCCI ET AL.

By: Beverly E. Hjorth
Beverly E. Hjorth
Registration No. 32,033
Attorney for Applicants

WEINGARTEN, SCHURGIN,
GAGNEBIN & LEOVICI LLP
Ten Post Office Square
Boston, MA 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

BEH/jde/287155

OFFICIAL

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP
TEN POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109

STANLEY M. SCHURGIN
CHARLES L. GAGNEBIN III
VICTOR B. LEBOVICI
BEVERLY E. HJORTH
BOLLIDAY C. HEINE, Ph.D.
GORDON R. MORIARTY
JAMES F. THOMPSON
DAVID A. DAGG

INTELLECTUAL PROPERTY LAW
PATENTS, TRADEMARKS AND COPYRIGHTS

TELEPHONE
(617) 542-2290
FACSIMILE
(617) 451-0313

THOMAS P. GRODT
RICHARD E. GAMACHE
CHI SUK KIM

OF COUNSEL
ARTHUR S. MORGENSTERN

JOSEPH WEINGARTEN
(1919-1984)

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MAY 28 2003

GROUP 1700

FACSIMILE COVER SHEET

DATE: May 27, 2003

TO: Examiner John L. Goff II
Group Art Unit 1733

Fax No.: (703) 872-9310

FROM: Beverly E. Hjorth
Registration No. 32,033

No. of pages transmitted
(including this page) 14

Our File: KAZAK-004XX

Time: 3:35 pm US EDT

Your Ref: Appl. No. 09/904,282
Filed July 12, 2001

Sent by: jde

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MESSAGE

PLEASE DELIVER DIRECTLY TO:
EXAMINER JOHN L. GOFF II, Tel. (703) 305-7481
GROUP ART UNIT NO. 1733

FOR ENTRY

Enclosed for filing please find a:

Amendment (12 pages)
Transmittal Letter (1 page)

The Commissioner is hereby authorized to Charge Deposit
Account No. 23-0804 for any additional filing fees associated
with this communication or credit any overpayment.

Beverly E. Hjorth
Attorney for Applicant: Beverly E. Hjorth
Registration No. 32,033

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WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP
 Ten Post Office Square
 Boston, Massachusetts 02109
 Telephone: (617) 542-2290
 Telecopier: (617) 451-0313

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GROUP 1700

Via Facsimile

Examiner John L. Goff II
 U.S. Patent & Trademark Office
 Group Art Unit 1733
 Alexandria, VA 22313

Date: May 27, 2003

Attorney Docket No. KAZAK-004XX

Sir:

In re application of: Jerome P. Fanucci et al.

Entitled: METHOD FOR INCORPORATING RIGID ELEMENTS INTO THE CORE OF COMPOSITE
 STRUCTURAL MEMBERS IN A PULTRUSION PROCESS

Transmitted herewith is a in the above-identified application. The following checked items are applicable:

- ☐ This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$) per §1.17(e).
☐ Enter the unentered amendment previously filed on _____ per §1.116.
- ☐ A Petition for Extension of Time for ___ month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$) per §1.17.
- ☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☐ _____ is hereby appointed Associate Attorney by:
 Registration No.:

Attorney of Record:
 Registration No.:

☐ Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	3 - 3	= 0	x \$84.00 =	0
Total	21 - 23	= 0	x \$18.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$280.00 =	N/A
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				0
TOTAL ADDITIONAL FEE				0

- ☒ No additional fee. ☐ The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$) for the cost of same.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner John L. Goff II, Group Art Unit 1733, U.S. Patent & Trademark Office, Alexandria, VA 22313, Fax No. (703) 872-9310, on May 27, 2003.

SUBMIT IN TRIPLICATE
 BEH/jde/287156

Attorney of Record: Beverly E. Hjorth
 Registration No. 32,033